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Attorneys for Creditor  
 Debt Acquisition Company of America V

## UNITED STATES BANKRUPTCY COURT

## District of Nevada

In re	)	Case No. BK-S-06-10725 LBR
USA COMMERCIAL MORTGAGE COMPANY	)	DECLARATION OF POMPEO J.
	)	LOMBARDI IN RESPONSE TO
Debtor.	)	OBJECTION TO CLAIM NO. 10725-00780
In re	)	ASSIGNED TO DEBT ACQUISITION
USA CAPITAL REALTY ADVISORS, LLC	)	COMPANY OF AMERICA V, LLC
Debtor.	)	[AFFECTS DEBTOR USA COMMERCIAL
In re	)	MORTGAGE COMPANY]
USA CAPITAL DIVERSIFIED TRUST FUND, LLC	)	DATE: April 26, 2007
Debtor.	)	TIME: 9:30 a.m.
In re	)	
USA CAPITAL FIRST TRUST DEED FUND, LLC	)	
Debtor.	)	
In re	)	
USA COMMERCIAL MORTGAGE COMPANY	)	
Debtor.	)	
Affects:	)	
<input type="checkbox"/> All Debtors	)	
<input checked="" type="checkbox"/> USA Commercial Mortgage Company	)	
<input type="checkbox"/> USA Capital Realty Advisors, LLC	)	
<input type="checkbox"/> USA Capital Diversified Trust Fund, LLC	)	
<input type="checkbox"/> USA Capital First Trust Deed Fund, LLC	)	
<input type="checkbox"/> USA Securities, LLC	)	

1 I, Pompeo J. Lombardi, declare:

2 1. I was formerly employed as a commissioned salesperson by USA Commercial Mortgage  
3 Company. I have personal knowledge of the facts stated herein and could and would competently  
4 testify thereto if called as a witness.

5 2. I have assigned a claim in the total amount of \$43,017.52 to Debt Acquisition Company  
6 of America V, LLC.

7 3. This amount represents wages, salary or commissions, all of which were earned during  
8 the 180 days preceding April 13, 2006 (the date of filing of the chapter 11 petition).

9 4. At the time that I performed these services, I had no knowledge that any of these  
10 commissions were earned for placing in investors in nonperforming loans, as the Objection alleges.

11 I declare under penalty of perjury under the laws of the United States that the foregoing is true  
12 and correct and that this Declaration was executed on April 18, 2007 at San Diego, California.

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